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C O N F I D E N T I A L SECTION 01 OF 02 DAMASCUS 000401

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E.O. 12958: DECL: 04/25/2017

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SUBJECT: CHARGE RAISES SARG TRAVEL RESTRICTIONS WITH MFA

REF: 06 DAMASCUS 1216

Classified By: Charge d'Affaires Michael Corbin, per 1.4 b,d.

¶1. (C) Summary: In an April 23 meeting, Charge raised with our designated MFA contact, Director of Protocol Amir Smadi, the issue of recent SARG efforts to restrict the travel of diplomats in Syria, protesting in particular a recent MFA dipnote and citing SARG efforts aimed at DAO travel. Smadi was incoherent on the reasoning of the dipnote, changing his explanation several times in the meeting. His bottom line was that the DATT's of the U.S., U.K. and The Netherlands were the problem. Charge said we did not accept restrictions on DATTs and that we and other diplomatic missions did not understand the note on travel. Text of the Syrian dipnote is included in para. seven below. End Summary.

¶2. (C) In an April 23 meeting on administrative matters, Charge raised with our designated MFA contact, Director of Protocol Amir Smadi, the issue of recent SARG efforts to restrict the travel of diplomats in Syria. The Charge pointed to an April 15 dipnote, addressed to all diplomatic missions and international organizations accredited to Syria, which required advance MFA notification and approval for any trips outside the city ("governorate") of Damascus. The Charge noted that such regulations would require permission even for travel to outlying suburbs such as Saboura, where many diplomats live. The Charge further noted that diplomats normally travel all over the country to which they are posted and do not need to ask permission for such trips, adding that no such restrictions are imposed on Syrian diplomats posted to Washington or New York.

¶3. (C) Smadi somewhat defensively noted that these instructions had been prompted by the travel of the military attaches, in particular from the embassies of the U.S, the U.K. and Canada, (note: although Smadi said Canada, we believe he ment The Netherlands, as later the later has had problems with the authorities while the canadians have not. End note.) who had gone to sensitive sites without authorization. Ignoring the specific, very restrictive language in the dipnote, Smadi at one point said the MFA would be "flexible" on the directive and noted that such restrictions were for trips to sensitive areas, like the border with Iraq, or for trips more than 100 kms outside of Damascus. He indicated later that they only applied to the travel of the military attaches. He subsequently contradicted himself and said that if the Charge traveled to Aleppo for vacation with his family for a few days, it was actually advisable for him to let the Syrian authorities know about it, for their own protection. Smadi also made clear that the restrictions did not originate from the MFA but had

been imposed on the MFA by the Syrian security services.

¶4. (C) Charge responded that the MFA note made no sense, reiterated his protest, and made clear that any SARG attempt to enforce such regulations would be problematic and viewed as a violation of diplomatic conventions and of the principle of reciprocal treatment. Charge also said that if there was an effort to restrict attaches it was not clear what the measures meant. Charge noted that other Diplomatic Missions were asking the same questions about the diplomatic note and the MFA was breaking all diplomatic norms.

¶5. (C) COMMENT: This is not the first time the SARG has issued such a dipnote attempting to limit in-country travel for all diplomatic missions and international organizations. The SARG issued similar notes to all Missions in April and November 2006, and July 2005. This most recent note comes in the context (as did the other notes cited) of SARG efforts to focus on and restrict DAO travel. While these three notes are addressed to all diplomatic missions, the precipitating event for the issuance seems to be SARG security services' reaction to travel by the DAO (and in the most recent case, travel as well by the British and Dutch military attaches). We have previously informed the SARG by diplomatic note, most recently in August 2006, that such travel restrictions are a violation of the Vienna Convention on Diplomatic Relations, which accords diplomats freedom of movement throughout the host country. The SARG responded in a dipnote dated August 8, 2006, saying that Article 26 of the Vienna Convention states that in-country travel by diplomats is subject to the host country's "laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security." Consequently, asserted the dipnote, Syria has

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the right to restrict freedom of movement for diplomats in accordance with "the concerns of the host country's national security."

¶6. (U) The other issues discussed with Smadi, the possibility of moving forward on a new embassy compound and of SARG street closings at the current Embassy, are covered septel.

¶7. (U) Text of the most recent MFA dipnote: The Foreign Ministry of the Syrian Arab Republic presents its compliments to all Arab brotherly Missions and Foreign Missions and all International Organizations accredited to Damascus and with reference to its previous circular No. 28 dated November 13, 2006, has the honor to assert the following:
-- Should inform the Foreign Ministry Protocol Department ahead of time for the trips that Diplomats want to make outside the governorate of Damascus City.
-- Necessity to get the approval of the Ministry ahead of time before conducting such trips, in order that the necessary measures can be taken.
The Foreign Ministry avails itself of this opportunity to renew to the missions and organizations the assurances of its highest consideration. End Text of Dipnote.

CORBIN